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**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Potash

§ Group No. 2183  
§ Examiner: Unknown

Application No. 09/776,084

Atty. Dkt. No. 5625-00100

Filed: February 1, 2001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date indicated below:

For: PROGRAMMED LOAD  
PRECESSION MACHINE

September 5, 2001

Date \_\_\_\_\_

Kevin L. Daffey

**REQUEST FOR WITHDRAWAL AS ATTORNEY  
PURSUANT TO 37 C.F.R. § 1.36 AND § 10.40(c)**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**ATTN: Director, Group 2183**

Dear Sir/Madam:

This paper is a requests for permission to withdraw as Attorneys of Record for the above-referenced matter and to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. §§ 1.36 and 10.40(c).

### **Parties Requesting Withdrawal:**

Conley, Rose & Tayon, P.O. Box 398, Austin, Texas 78767-0398 and each member of the law firm of Conley, Rose & Tayon request withdrawal from representation of the inventor and/or assignee of the above-referenced matter before the U.S. Patent and Trademark Office. In addition, the attorneys and agents of Conley, Rose & Tayon listed herein below in the Power of Attorney filed with the U.S. Patent and Trademark Office and shown as the Attorneys of Record in the above-referenced matter request withdrawal.

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Dan R. Christen, Reg. No. 39,943;  
Gentry E. Crook; Reg. No. 44,633;  
Kevin L. Daffer, Reg. No. 34,146;  
Mark R. DeLuca, Reg. No. 44,649;  
Jeffrey C. Hood, Reg. No. 35,198;  
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Robert C. Kowert, Reg. No. 39,255;  
Lawrence J. Merkel, Reg. No. 41,191;  
Louise K. Miller, Reg. No. 36,609;  
Eric B. Meyertons, Reg. No. 34,876;  
David A. Rose, Reg. No. 26,223; and  
David W. Quimby, Reg. No. 39,338

**Assignee/Inventor Last Known Address:**

The above-referenced application has not been assigned. Therefore, the last known mailing address of the inventor, Hanan Potash, is 10403 Charette Cove, Austin, Texas 78759.

**Status of Application:**

The above-referenced application was filed at the U.S. Patent and Trademark Office on February 1, 2001 and is awaiting action by the Patent & Trademark Office. Therefore, there is no outstanding term for response.

**Basis for Withdrawal Request:**

The basis for the request for withdrawal under 37 C.F.R. 10.40(c)(1)(vi) is for failure to pay one or more bills rendered by the undersigned. The bills rendered by the undersigned have been outstanding for more than ninety (90) days, contrary to the terms and conditions under which Hanan Potash and PhotonRoute Communications agreed to pay Conley, Rose & Tayon in accordance with the engagement terms shown in **Exhibit A** signed by Hanan Potash on behalf of PhotonRoute Communications. **Exhibit B** is a statement which indicates the total amount due is \$33,225.19, the bulk of which is over 120 days past due.

### **Actions Taken to Protect Interest of PhotonRoute Communications and Hanan Potash:**

Hanan Potash, individually and in his capacity as a principal of PhotonRoute Communications, has been notified of our intent to withdraw by letter dated August 16, 2001, a copy of which is enclosed as **Exhibit C**. In that letter, Mr. Potash was informed of certain events which must be addressed by substitute counsel for each matter from which Conley, Rose & Tayon seeks withdrawal.

In accordance with 37 C.F.R. § 10.40(a), a copy of this request including the attached Exhibits are being forwarded to the inventor, Hanan Potash, along with his case file.

Withdrawal is also requested in the following related application of the inventor:

Application No. 09/776,102      Group 2151  
Application No. 09/788,216      Group 2661  
Application No. 09/788,215      Group 2872

The undersigned represents that he has authority to withdraw on behalf of Conley, Rose & Tayon, and each of the attorneys listed in the Power of Attorney filed with the U.S. Patent and Trademark Office and shown as the Attorneys of Record in the above-referenced matter.

Respectfully submitted,

Kevin L. Daffer  
Reg. No. 34,146

CONLEY, ROSE & TAYON P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
(512) 476-1400  
Date: September 5, 2001